



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/603,857 | 06/26/2000 | William A. Skinner | FTI "AG" | 4206 |

7590 05/06/2003
Delbert J Barnard
Barnard & Pauly PS
P O Box 58888
Seattle, WA 98138-1888

EXAMINER

BLOUNT, STEVEN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2661

DATE MAILED: 05/06/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

69/603,857

Applicant(s)

Skinner et al

Examiner

Blount

Group Art Unit

2661

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 3/5/63
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 21-23 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 21-23 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2661

DETAILED ACTION

Continued Examination Under 37 CAR 1.114

1. A request for continued examination under 37 CAR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/5/03 has been entered.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21 - 23 are rejected under 35 U.S.C. 103(a) as being obvious over EPO patent 0891007 to Schneck.

With regard to claim 21, the examiner initially notes that this claim corresponds to figure 13 of the present application. A comparison of figure 4 of Schneck with figure 13 of this application shows that Schneck teaches the claimed invention. Although there is a space between members 1 and 10 in figure 3, this is only because the mandrel has not been inserted into it yet.

In col 1, lines 38 - 46, it is stated, in translation, that:

Art Unit: 2661

“In a further embodiment, provisions are made that at the flange-side of the borehole, the first bush has a recess, as a result, it is possible that when the spreading mandrel is burst through, displaced material can be pressed into this recess in such a way reliable defined fixing is possible”.

It is also stated at the end of the abstract that axial and radial deformation of the material is possible.

It appears that applicant is claiming that the flange/tubular members are contiguous before radial expansion, unlike Schneck, where a small gap is placed between them to allow for expansion during the insertion of the mandrel which creates the interference fit. The examiner believes, first, that having this small gap is an obvious variation which would be known to one skilled in the art; second, that it is possible that having such a gap is required for the invention to be practiced as claimed, and third, *applicant has not positively recited that the members touch before radial expansion is carried out to create the interference fit*. If they did, creating the radial expansion fit would most certainly make the flanges stick up a little bit from the plane of the work member due to expansion.

With regard to claim 22, the kind of pressure applied by the bolt members 18 and 19 would introduce a compressive residual stress in the work member 9 such that fatigue life stresses would be introduced therein.

With regard to claim 23, members 4, 6, and 9 are made of metal.


Art Unit: 2661

Contact Information

4. Examiner Blount may be contacted at the Patent Office between the hours of 9:00 am to 5:30 P.M. Monday through Friday. His phone number is (703) 305-0319.

SB


4/29/03


**KENNETH VANDERPUYE
PRIMARY EXAMINER**